

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
SEP 29 2010

CLERK

ROBERT L. WELCH,

Plaintiff,

vs.

ED LIGTENBERG, Director;
DENNIS KAEMINGK, Chair;
JAMES P. SMITH, Member;
PATRICIA A. MEYERS, Member;
DEBRA C. FLUTE, Member;
DAVE NELSON, Member;
THOMAS CIHAK, Vice-chair;
KIETH BOBENBERGER;
JESSE SONOREAL; and
KAY F. NIKOLAS; all of the
South Dakota Board of Pardons and Paroles;

Defendants.

CIV. 10-4075

ORDER

Plaintiff brings this prisoner civil rights action pursuant to 42 U.S.C. § 1983. The Magistrate Judge issued a Report and Recommendation recommending that the Complaint be dismissed for failure to state a claim upon which relief can be granted. Plaintiff filed no objections to the report and recommendation.

After conducting an independent review of the record, the Court agrees with the Magistrate Judge. Accordingly,

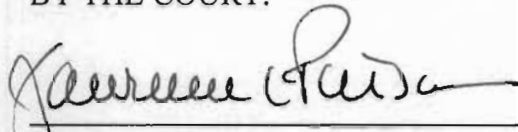
IT IS ORDERED that:

1. The Report and Recommendation (Doc. 11) is ADOPTED.

2. Plaintiff's complaint is dismissed, without prejudice, for failure to state a claim upon which relief can be granted.
3. Plaintiff's Motion to Consider this a Priority Case and for Speedy Trial (Doc. 9) is DENIED.
4. Plaintiff remains responsible for payment of the balance of the \$350.00 filing fee.

Dated this 29th day of September, 2010.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

By: Summa Waheed, Deputy
(SEAL)